

**CALIFORNIA ELECTRICIAN  
CERTIFICATION PROGRAM  
CALIFORNIA CODE OF REGULATIONS  
TITLE 8, CHAPTER 2  
SUBCHAPTER IV**

**Subchapter IV. Electrician Certification**

**290.0 General**

Scope and Application: Improper electrical connections can result in fire or other damage to property and can cause injury and death. Any individual may apply for certification showing that the individual possesses the skill, knowledge and training to safely and competently make electrical connections of 100 volt-amperes or more in the course of doing work for an electrical contractor.

Note: Authority cited: Section 3099, Labor Code. References: Section 3099, Labor Code.

**290.1 Definitions**

Approved Curriculum is a program of classes covering the areas of subject matter content offered by an Educational Provider pursuant to a plan of classroom instruction approved by the Curriculum Committee.

Certified Electrician is one who has been certified pursuant to Labor Code section 3099.2 and these regulations under any of the certification categories established by DAS.

Chief DAS is the Chief of the Division of Apprenticeship Standards.

Curriculum Committee is the Electrician Certification Curriculum Committee established pursuant to Labor Code section 3099(a)(3).

Curriculum Standards are the standards for subject matter content for classroom instruction adopted by the Curriculum Committee.

DAS is the Division of Apprenticeship Standards.

Director is the Director of Industrial Relations.

Educational Provider is a community college or public school district or public educational institution, or a state-licensed private post-secondary institution under contract with a public educational institution, community college or public school district.

Electrical Contractor is one who holds a C-10 license from the State Contractors License Board.

Electrician Trainee is one who is registered with DAS pursuant to Labor Code section 3099.4 and these regulations.

Fire/Life Safety Technician is one who performs work for an Electrical Contractor involving the installation, construction or maintenance of systems covered by Article 760 of the National Electrical Code.

~~(a).~~ A General Electrician is one who performs work for an electrical contractor installing, constructing or maintaining any electrical system that is covered by the National Electric Code.

National Electrical Code is the National Electrical Code 1999, National Fire Protection Association, Quincy, MA 02269.

NICET is the National Institute for Certification in Engineering Technologies.

Nonresidential Lighting Technician is one who performs work for an Electrical Contractor repairing, servicing and maintaining existing nonresidential lighting fixtures and installing retrofit upgrade fixtures. Such work does not include the installation of branch circuits or the alteration of existing branch circuits except a Nonresidential Lighting Technician may reconnect to existing power within 3 feet.

~~(b).~~ A Residential Electrician is one who:

- (1). performs work for an electrical contractor installing, constructing, or maintaining any electrical system that is covered by the National Electrical Code in single family homes and multi family units, including hotels and motels, where the primary occupancy of the building is considered residential and the maximum voltage received from a utility company is a 3 phase, 4 wire, 120/208 or 120/240 volts.
- (2). performs work installing the required panel boards and feeders for commercial tenant space in a multi-family/multi-use occupancies falling under subsection (b)(1) above, where less than 50 percent of the first floor level is used for commercial tenant space, but not performing any tenant improvement for these spaces.
- (3). does not perform work in occupancies that fall under the scope of Article 517 of the National Electrical Code.

~~(c). Voice Data Video Technician is one who performs work for an electrical contractor installing, constructing or maintaining any system that falls within the scope of National Electrical Code, Articles 725, 770 (non-composite cables only), 800 (non-hybrid cables only), 810 and 820.~~

~~(d). Fire/Life Safety Technician is one who performs work for an electrical contractor involving the installation, construction or maintenance of systems as covered in Article 760 of the National Electrical Code.~~

~~(e). Nonresidential Lighting Technician is one who performs work for an electrical contractor repairing, servicing and maintaining existing nonresidential lighting fixtures and installing retrofit upgrade fixtures. Such work does not include the installation of branch circuits or the alteration of existing branch circuits except a technician may reconnect to existing power within 3 feet.~~

~~(f). DAS is the Division of Apprenticeship Standards.~~

~~(g). Chief DAS is the Chief of the Division of Apprenticeship Standards.~~

~~(h). Director is the Director of Industrial Relations.~~

~~(i). An Electrical Contractor is one who holds a C-10 license from the State Contractors License Board~~

~~(j). National Electrical Code is the National Electrical Code 1999, National Fire Protection Association, Quincy, MA 02269.~~

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099 – 3099.4, Labor Code.

## **291.0 Types of Certification**

An applicant may apply for certification as a General Electrician, a Residential Electrician, a Voice Data Video Technician, a Fire/Life Safety Technician or a Nonresidential Lighting Technician.

Note: Authority cited: Section 3099, Labor Code. References: Section 3099, Labor Code.

## **291.1 Eligibility for Certification**

(a). In order to be certified, an applicant must have the required experience as set forth herein, and pass a certification examination under Section 291.3. An applicant must provide proof of experience which may be done by showing:

(1). successful completion of an apprenticeship program approved by the California Apprenticeship Council, the federal Bureau of Apprenticeship Training, or a state apprenticeship council authorized by the federal Bureau of Apprenticeship Training to approve apprenticeship programs, in the classification for which certification is sought; or

(2). on-the-job experience, as follows:

General Electrician: 8000 hours of work for an Electrical Contractor installing, constructing or maintaining electrical systems covered by the National Electrical Code. The 8000 hours must consist of work in two ~~one~~ or more of the following areas, and the maximum number of hours in a particular area that may be counted toward the 8000 hour total are as follows:

Stock room and Material handling – 300 hours

Residential Wiring - 3000 hours

Commercial Wiring – 6000 hours

Industrial Wiring – 6000 hours

Voice Data and Video installation - 1500 hours

Underground Conduit installation –750 hours

Troubleshooting and Maintenance - 1500 hours

Finish Work and fixtures - 600 hours

Fire/Life Safety, Nurse call - 600 hours

Residential Electrician: 4800 hours of work for an Electrical Contractor installing, constructing, or maintaining electrical systems covered by the National Electric Code.

The 4800 hours must consist of work in one or more of the following areas, and the maximum number of hours in a particular area that may be counted toward the 4800 hour total are as follows:

Stock room and material handling – 300 hours

Residential Wiring - 4800 hours

Voice Data and Video installation –150 hours

Underground Conduit installation – 300 hours

Troubleshooting and Maintenance - 600 hours

Finish work and fixture - 600 hours

Fire/Life Safety - 300 hours

Voice Data Video Technician: 4000 hours of work for an Electrical Contractor installing, constructing or maintaining any system that falls within the scope of National Electrical Code, Articles 725, 770 (non-composite cables only), 800 (non-hybrid cables

only), 810 and 820. The 4000 hours must consist of work in one or more of the following areas, and the maximum number of hours in a particular area that may be counted toward the 4000 hour total are as follows:

Stock room and material handling – 300 hours

Installations, including wire pulling, terminations, control panels devices

and finish work – 4000 hours

Troubleshooting and Maintenance – 750 hours

Trade Specific training related to Voice, Data, Video - 300 hours

Fire/Life Safety Technician: 4000 hours of work for an Electrical Contractor, involving the installation, construction or maintenance of systems as covered in Article 760 of the National Electrical Code. The 4000 hours must consist of work in one or more of the following areas, and the maximum number of hours in a particular area that may be counted toward the 4000 hour total are as follows:

Stock room and material handling – 300 hours

Installations, including wire pulling, terminations, control panels devices and finish work – 4000 hours

Troubleshooting and Maintenance – 750 hours

Nurse Call systems - 300 hours

Proprietary systems training related to Fire/Life Safety - 300 hours

The experience requirement for Fire/Life Safety Technician may also be satisfied by proof of NICET certification in Fire Alarm Systems at Level II or above.

Nonresidential Lighting Technician: 2,000 hours of work installing, repairing and maintaining nonresidential lighting while employed by a contractor engaged in the business of nonresidential lighting maintenance and retrofit installations. The 2,000 hours must consist of work in one or more of the following areas, and the maximum number of hours in a particular area that may be counted towards the 2,000 hour total are as follows:

Stockroom and material handling - 150 hours

Maintenance of lighting fixtures - 1750 hours

Installation of retrofit fixture - 1500 hours

Trouble shooting and repairing - 500 hours

(b). Where an applicant holds a license as an electrician in another state and it is determined by the Chief DAS that the requirements for experience to hold a license in that state are comparable to the requirements of Section 291.1(a) (1) ~~and~~ or Section 291.1(a)(2), the Chief may deem the applicant to have the required experience for certification.

(c). Where the applicant can show other experience, including military experience or relevant work for a low voltage systems contractor holding a C-7 license, the applicant may apply to the Chief DAS for credit toward some or all of the experience required under Section 291.1 (a)(2). The Chief DAS may grant credit if the Chief determines that the experience is comparable to experience for which credit would be granted under Section 291.1(a) (1) ~~and~~ or Section 291.1(a)(2).

Note: Authority cited: Section 3099, Labor Code. References: Section 3099, Labor Code.



## **291.2 Application for Certification and Examination**

(a). Any individual desiring to be certified as set forth in Section 291.0 must submit an application for certification and examination as set forth herein. The application and all information and attachments shall be submitted under penalty of perjury, and accompanied by all applicable fees as set forth herein. No application will be accepted for processing by the DAS unless accompanied by all required fees as set forth in Section 292.0 herein.

(b). Applications may be obtained from any District Office for the DAS, or from the DAS website at [www.dir.ca.gov/das](http://www.dir.ca.gov/das), and shall be filed by mailing the completed application to the following address:

DIVISION OF APPRENTICESHIP STANDARDS

Attn: Electrician Certification Unit

P.O. BOX 420603

SAN FRANCISCO, CA 94142-0603

(c). The application shall include:

(1). Type of certification desired.

(2). Full name of the applicant and any other names the applicant has used to work as an electrician within five years previous to the date of the application.

(3). Date of Birth and Driver's license or state identification card number.

(4). Mailing Address.

(5). Telephone Number (Day and Evening)

(6). Request for Spanish language examination if applicable.

(d). The applicant shall submit proof of experience as required under Section 291.1 with the application. Except as provided in subsections (f) and (g), oOnly applicants who have the required experience are eligible to take the certification examination.

~~(e). Within 30 days of the receipt of an application, the DAS shall inform the applicant in writing either that the application is accepted for filing or that it is deficient in which case DAS shall inform the applicant of the information or documentation required to complete the application. Within 60 days of accepting an application for filing, DAS shall inform the applicant in writing either that the applicant has submitted sufficient proof of experience to be eligible to take the certification examination or that the proof of experience is insufficient and if so in what way. If the applicant is eligible to take the certification examination, DAS shall provide the applicant information for taking the certification examination. If the applicant is not eligible to take the certification examination, DAS shall keep the application on file for one year and reconsider the application if the applicant submits further information or documentation. If the applicant has not submitted sufficient proof of experience to take the certification examination within one year after being notified by DAS that the proof of experience is insufficient, the applicant must submit a new application and pay the required application fee. Within 30 days of the receipt of an application, the DAS shall inform the applicant in writing whether the applicant is eligible to take the certification examination, or whether the application is deficient or the applicant has not submitted sufficient proof of experience to take the certification examination.~~

If the applicant is eligible to take the certification examination, the DAS shall provide the applicant with information about taking the examination. If the applicant does not take

the examination within one year after being notified by DAS of eligibility to take the examination, the applicant must submit a new application to DAS and pay the required application and testing fee again.

If the application is deficient or the applicant has not submitted sufficient proof of experience, the DAS shall return the application materials and refund all fees to the applicant. The DAS shall advise the applicant of the information or documentation required and why the proof of experience is insufficient. The applicant may submit a new application and pay the required application and testing fees.

(f). A registered apprentice performing electrical work as part of an apprenticeship program approved under Labor Code sec. 3070 *et seq.*, a federal Bureau of Apprenticeship Training program, or a state apprenticeship program authorized by the federal Bureau of Apprenticeship Training, who is within one year of completion of the apprenticeship term, is eligible to take the certification examination. Upon passing the examination, the apprentice shall be certified immediately upon completion of the term of apprenticeship.

(g). An Electrician Trainee who has completed an Approved Curriculum for the classification for which certification is sought and is currently registered as an Electrician Trainee is eligible to take the certification examination. The Electrician Trainee must submit a certificate of completion of an Approved Curriculum with the application and pay the required application and testing fees. The Electrician Trainee shall not be certified until he or she passes the examination and submits proof of experience as required under Section 291.1. The Electrician Trainee must renew registration to continue as an Electrician Trainee until certified.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099–3099.4, Labor Code.

### **291.3 Certification Examination**

- (a). All applicants must pass the written examination, established by the Chief DAS for the type of certification desired.
- (b). The examination shall be validated by an independent test validation organization based on content developed by a job analysis.
- (c). A description of the examination content and identification of relevant reference works will be provided by DAS upon request.
- (d). The examination for each type of certification shall be given at least once per year, in at least two locations, one in Northern California and one in Southern California. DAS may give the examinations at additional times and in additional locations for the convenience of the applicant pool.
- (e). Applicants requesting special accommodations for the examination on account of disability shall submit such requests to the Chief DAS or its designee. The Chief DAS or its designee shall respond promptly to such requests and may require additional information and/or documentation from the applicant.
- (f). DAS shall ~~may~~ provide for the administration of the certification examinations in Spanish, and to the extent practicable, other non-English languages spoken by a substantial number of applicants, as defined in Section 7296.2 of the Government Code, except insofar as the ability to understand warning signs, instructions, and other information in English is necessary for safety reasons.

(g). At the time of the examination, the applicant may be required to present valid photo identification and may be photographed for a certification card.

(h). DAS shall make information about electrician certification available in non-English languages spoken by a substantial number of construction workers, as defined in Section 7296.2 of the Government Code. Such information shall contain the basic information DAS makes available to the public in English regarding electrician certification and shall be sufficient to inform interested persons of the process by which one may become certified.

Note: Authority cited: Section 3099, Labor Code. References: Sections 3099 – 3099.3, Labor Code.

#### **291.4 Retesting**

An applicant may take the test as many times as he or she wishes under one application for one year following the date of the notification of eligibility to take the examination so long as there is. ~~However, an applicant must wait at least 60 days between each sitting. from the release of test results before he or she may take the examination again and~~ The applicant must make payment of the test fee each time the test is taken. After one year following the date of notification of eligibility, an unsuccessful applicant must submit a new application and make new payment of fees.

Note: Authority cited: Section 3099, Labor Code. References: Section 3099, Labor Code.

#### **291.5 Renewal and Replacements**

(a). ~~The Ceertificateion~~ shall be renewed every three (3) years. To be eligible for renewal an applicant must provide proof under penalty of perjury of 32 hours further electrical education from an Educational Provider relevant to the type of certification, and must certify under penalty of perjury that he or she has worked in the industry 2000 hours within the previous three years. ~~An individual who allows certification to lapse shall be required to retake the certification exam.~~

(b). Within 30 days of the receipt of a renewal application, the DAS shall inform the applicant in writing either that certification has been renewed, or that the application is deficient or that applicant has submitted insufficient proof of further education. If the application is deficient or applicant has submitted insufficient proof of further education, DAS shall inform the applicant of the information or documentation required and why the proof of further education is insufficient.

(c). An individual who allows certification to lapse shall be required to retake the certification examination. A successful renewal application must be postmarked or received at DAS 30 days before the end of the certification period in order for certification to be renewed without a lapse.

(d\_b). Any person whose certification card has been lost or mutilated may request a replacement card from the DAS. Such request shall be in writing and accompanied with a current address and phone number and replacement fee in the amount of 30% of the renewal fee specified in Section 292.0(c).

(e). For purposes of any continuing education or recertification requirement, individuals who become certified prior to the deadline for certification shall be treated as having

become certified on the first anniversary of their certification date that falls after the certification deadline.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099 - 3099.4, Labor Code.

## **292.0 Fees**

- (a). The fee for initially applying for certification is \$75.00.
- (b). The fee for taking or retaking the examination is \$100.00.
- (c). The fee for renewal of certification is \$100.00.
- (d). The fee for registering as an Electrician Trainee is \$25.00.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099 and - 3099.5, Labor Code.

## **293.0 Denial, Suspension, or Revocation of Certification; Appeals**

- (a). The Chief DAS may for good cause deny certification to an applicant. Good cause shall exist when the applicant does not satisfy the requirements of Section 291.1 or has failed the certification examination. The Chief DAS shall provide the applicant with written notice of the denial at the address shown on the application for certification or other address known to the DAS.
- (b). The Chief DAS may for good cause and after notice and, if requested, a hearing, suspend or revoke the certification of a person certified pursuant to this Subchapter. Good cause shall be deemed to exist if the person certified has committed gross negligence or fraud, or engaged in repeated acts of negligence during the performance of activities subject to the certification or if the person obtained certification through mistake, misrepresentation or fraud.

(c). For suspension or revocation of a certification, notice of the intention to suspend or revoke the certification shall be given in writing and served upon the person certified. Service shall be by personal service or certified mail to the person's address as shown on the certification application or other address known to the DAS. The notice shall specify the reasons for the action proposed to be taken by the DAS and the applicant's right to request a hearing.

(d). Any applicant may appeal the denial of certification to the Chief DAS. The appeal shall be in writing and made within 320 days of service~~the receipt~~ of the denial. The applicant shall have the burden of establishing that he/she qualifies for certification. The Chief DAS shall rule on the appeal, and shall have discretion to hold a hearing on the appeal before the Chief DAS or his or her authorized representative prior to the ruling. Any hearing must commence within 90 days after the DAS receives the appeal of the denial of certification. The ruling shall be in writing and shall be sent to the applicant within 90 days after the DAS receives the appeal, or within 90 days after the last day of hearing, whichever is later. The decision of the Chief DAS shall be final, except for judicial review provided by law.

(e). An individual served with notice of the intention of the Chief DAS to suspend or revoke his or her certification may request a hearing with the Director by filing a written request for hearing with the Director within 320 days of service~~receipt~~ of the notice. Where no timely request for hearing has been made, the effective date of the suspension or revocation is deemed the 31<sup>st</sup> day following service of the notice of intention. The Director shall schedule a hearing before the Director or his or her authorized representative within 90 days after the Director receives the request for



hearing. Following the hearing, the Director shall issue a written ruling that shall be sent to the appellant within 90 days after the last day of hearing. The decision of the Director shall be final except for judicial review provided by law.

Note: Authority cited: Section 3099, Labor Code. References: Section 3099, Labor Code.

#### **294.0 Enforcement**

Any person who displays a certificate, or otherwise claims to be certified, who is not certified shall be prohibited from taking the test for certification for a period of five (5) years.

Note: Authority cited: Section 3099, Labor Code. References: Section 3099, Labor Code.

#### **295.0 Publication of names; responsibility to provide a current address**

(a). DAS shall publish, either electronically or in print, a current list of Certified Electricians and Electrician Trainees. ~~who are certified and~~ Ceopies of this list shall be available to the public upon request and shall be updated yearly. The list shall include the zip code of the electrician's or trainee's mailing address.

(b). Applicants, Electrician Trainees, and Ceertified Electricians shall be responsible for notifying DAS of changes in mailing address.

Note: Authority cited: Section 3099, Labor Code. References: Sections 3099, 3099.4, Labor Code.

#### **296.0. Curriculum Committee; Curriculum Standards; Approved Curriculum**

(a). The Curriculum Committee is comprised of the State Superintendent of Public Instruction, the Chancellor of the California Community Colleges, and the Chief DAS, or

their respective designees. The Curriculum Committee shall meet at least twice a year, and a unanimous vote shall be necessary for committee action. Each committee member may appoint up to three non-voting advisory members to attend committee meetings. The Chief DAS or its designee will act as secretary for the committee.

The address of the Curriculum Committee is:

DIVISION OF APPRENTICESHIP STANDARDS

ATTN: ELECTRICIAN CERTIFICATION CURRICULUM COMMITTEE

P.O. BOX 420603

SAN FRANCISCO, CA 94142-0603

(b). The Curriculum Committee shall adopt Curriculum Standards that satisfy the requirements of Labor Code section 3099.4. DAS shall publish the Curriculum Standards, either electronically or in print, and they shall be available to the public upon request.

(c). To apply for approval of its curriculum, an Educational Provider must submit to the Curriculum Committee a copy of its proposed curriculum, proof that the proposed curriculum has been certified by the State Department of Education or approved by the Chancellor of the California Community Colleges, and a document that identifies how each element in the Curriculum Standards is covered in the proposed curriculum. Within 90 days of the receipt of an application, the Curriculum Committee shall inform the Educational Provider in writing either that the proposed curriculum is approved or that the application or the proposed curriculum is deficient, in which case the Curriculum Committee shall inform the Educational Provider the information or documentation required to complete the application and why the proposed curriculum is deficient.

(d). An Approved Curriculum may satisfy the Curriculum Standards in whole or in part. An Educational Provider must include language in publications regarding its Approved Curriculum that notifies which elements of the Curriculum Standards are covered, and which are not.

(e). DAS shall publish, either electronically or in print, a list of Educational Providers with Approved Curriculum. The list shall be made available to the public upon request.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099, 3099.4, Labor Code.

### **296.1. Applying for and Renewing Registration as an Electrician Trainee.**

(a). An individual who is enrolled in or has completed an Approved Curriculum may register with DAS as an Electrician Trainee by submitting an application as set forth herein. The application and all information and attachments must be submitted under penalty of perjury and accompanied by the applicable fee as set forth in Section 292.0. No application will be accepted for processing unless accompanied by the required fee.

(b). Applications may be obtained from any District Office for DAS or from DAS's website. Applications must be filed by mailing the completed application to the following address:

DIVISION OF APPRENTICESHIP STANDARDS

ATTN: ELECTRICIAN CERTIFICATION UNIT

P.O. BOX 420603

SAN FRANCISCO, CA 94142-0603

(c). The application must include:

(1). Full name of the applicant and any other names the applicant has used to work in the electrical industry within five years previous to the date of application.

(2). Date of birth and driver's license or state identification card number.

(3). Mailing address.

(4). Telephone number (Day and Evening).

(5). Proof of enrollment in or completion of an Approved Curriculum.

(6). Name, mailing address, and telephone number of current employer in the electrical industry, if any.

(d). Within 90 days of the receipt of an application, the DAS shall inform the applicant in writing either that the application is accepted for filing or that it is deficient or that the applicant has submitted insufficient proof of enrollment in or completion of an Approved Curriculum. If the application is deficient or the applicant has submitted insufficient proof of enrollment in or completion of an Approved Curriculum, the DAS shall inform the applicant of the information or documentation required and why the proof of enrollment in or completion of an Approved Curriculum is insufficient.

(e). An Electrician Trainee must renew his or her registration with DAS on an annual basis, by submitting a renewal application. The renewal application requirements are the same as that for the registration application, as set forth in subsections (a) through (c) above, except that no fee is required for renewal and the following additional information is required:

(1). Copies of transcripts showing Approved Curriculum classwork completed during the prior year; and,

(2). A list of the Electrician Trainee's employers in the electrical industry and on-the-job experience acquired during the prior year.

(f). Within 90 days of the receipt of a renewal application, the DAS shall inform the applicant in writing either that the registration has been renewed or that the application is deficient or that the applicant has submitted insufficient proof of further classwork or experience, in which case DAS shall inform the applicant of the information or documentation required and why the proof of further classwork or experience is insufficient.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099, 3099.4, Labor Code.

## **296.2. Enrollment in an Approved Curriculum.**

(a). An individual is considered to be enrolled in an Approved Curriculum if the individual:

(1). is enrolled in a program that provides at least 50 hours of classroom instruction in an Approved Curriculum per semester if the program offers three semesters of instruction per year; or

(2). is enrolled in a program that provides at least 75 hours of classroom instruction in an Approved Curriculum per semester if the program offers two semesters of classroom instruction per year.

(b). Upon receipt of an application for registration or renewal of registration as an Electrician Trainee, DAS may request verification of the applicant's enrollment from the Educational Provider. An Educational Provider must notify DAS within 30 days if an Electrician Trainee withdraws or is withdrawn from courses after enrolling.

(c). DAS will cancel the registration of an Electrician Trainee who ceases to be enrolled in an Approved Curriculum.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099, 3099.4, Labor Code.

### **296.3. Employment of Electrician Trainees.**

(a). An employer who employs an Electrician Trainee to perform work for which certification would otherwise be required must ensure that the trainee is under the direct, on-site supervision of a Certified Electrician who is responsible for supervising no more than one trainee. By employing an Electrician Trainee to perform work for which certification would otherwise be required, the employer attests that adequate supervision will be provided.

(b). An employer that fails to provide adequate supervision to an Electrician Trainee may be barred by the Chief DAS from employing trainees in the future.

(c). The Chief DAS shall serve written notice of the intention to bar an employer from employing Electrician Trainees. Service shall be by personal service or certified mail to the employer's address on file with the Contractor's State License Board or other address known to DAS. The notice shall specify the reasons for the action proposed to be taken by the DAS and the employer's right to request a hearing. The employer may request a hearing with the Director within 30 days of service of the notice. The Director shall schedule a hearing before the Director or his or her authorized representative within 90 days after the Director receives the applicant's request for hearing with the Director. Following the hearing, the Director shall issue a written ruling that shall be

sent to the appellant within 90 days after the last day of hearing. The decision of the Director shall be final except for judicial review provided by law.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099, 3099.4, Labor Code.

#### **296.4. Denial or Cancellation of Registration as an Electrician Trainee; Appeals**

(a). The Chief DAS may for good cause deny an individual registration as an Electrician Trainee or cancel an individual's registration as an Electrician Trainee. The Chief DAS shall provide the individual with written notice of the denial or cancellation at the address shown on the application for registration or other address known to the DAS. Good cause shall be deemed to exist if the individual does not meet the requirements for registration or has committed gross negligence or fraud, or engaged in repeated acts of negligence during the performance of activities subject to the registration or if the person obtained registration through mistake, misrepresentation or fraud.

(b). An applicant or registrant may appeal the denial or cancellation of registration to the Chief DAS. The appeal shall be in writing and made within 30 days of service of the notice. The appellant shall have the burden of establishing that appellant qualifies for registration. The Chief DAS shall rule on the appeal, and shall have discretion to hold a hearing on the appeal before the Chief DAS or his or her authorized representative prior to the ruling. Any hearing must commence within 90 days after the DAS receives the applicant's appeal of the denial of registration. The ruling shall be in writing and shall be sent to the appellant within 90 days after the DAS receives the appeal, or within 90 days after the last day of hearing, whichever is later. The decision of the Chief DAS shall be final, except for judicial review provided by law.

Note: Authority cited: Sections 3099, 3099.4, Labor Code. References: Sections 3099, 3099.4, Labor Code.